

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF WISCONSIN

DAVID ANTHONY PEARSON, JR.,

Plaintiff,

v.

LA CROSSE COUNTY,

Defendant.

OPINION and ORDER

21-cv-381-jdp

Pro se plaintiff David Anthony Pearson, Jr. alleges that La Crosse County officials have violated his federal rights in several ways. In an August 10, 2022 order, I stayed Pearson's claims whose adjudication would unduly interfere with his state prosecutions. I also dismissed the remainder of the complaint for various pleading deficiencies, giving Pearson until September 1, 2022, to file an amended complaint. I further warned Pearson that I would dismiss the case if he failed to file an amended complaint. Pearson has not filed an amended complaint. Nor has he asked for an extension of time or otherwise tried to justify his failure to do so.

Therefore, I will dismiss the complaint in part for failure to prosecute and failure to comply with a court order. The rest of the complaint will remain stayed. Pearson is reminded that he must move to lift the partial stay within 30 days after the conclusion of his criminal proceedings. If he fails to do so, I will dismiss the stayed claims.

In the order to amend, I directed the clerk of court to remove the La Crosse County Police Department as a defendant. *See* Dkt. 18, at 1, 6. But the clerk of court removed La Crosse County as a defendant. I will direct that the docket be corrected to show La Crosse County as the sole defendant.

ORDER

IT IS ORDERED that:

1. Plaintiff's complaint is DISMISSED IN PART for failure to comply with a court order and failure to prosecute.
2. La Crosse County is RE-ADDED as a defendant.
3. La Crosse County Police Department is REMOVED as a defendant.
4. The clerk of court is directed to ADMINISTRATIVELY CLOSE this case and send a copy of this order to plaintiff.

Entered September 14, 2022.

BY THE COURT:

/s/

JAMES D. PETERSON
District Judge